



ATTACHMENT A



PATENT
Customer No. 22,852
Attorney Docket No. 08203-0030-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Frank BONADIO et al.) Group Art Unit: 3743
Application No.: 10/600,812) Examiner: Dinnatia DOSTER GREENE
Filed: June 20, 2003) Confirmation No. 7588
For: APPARATUS FOR USE IN)
SURGERY AND A VALVE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF DENIS MCCARTHY

I, Denis McCarthy, a citizen of Ireland, declare as follows:

1. I am making this Declaration in support of obtaining benefit of the filing date of Irish Patent Application No. 930649 ("the '649 application") in the above-referenced application ("the Bonadio application") in accordance with 35 U.S.C. § 119(d). I understand that this Declaration will be filed in the United States Patent & Trademark Office in the Bonadio application.

2. I am a registered Irish patent agent and European patent attorney with over 25 years of experience prosecuting patent applications before the Irish Patents Office.

3. The patent laws of Ireland do not (and did not at the time the '649 application was filed in September 1993) require that the actual inventors be listed

initially on an Irish patent application. Under Irish patent law, there is a period of 16 months from the filing date of an Irish patent application to provide details of inventorship and derivation of rights. Since the '649 application was only used for priority purposes and was thus abandoned after 12 months, there would have been no need to conduct an inventorship investigation with respect to the '649 application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: January 3, 2006

By: 
Denis McCarthy